BULKELEY REPLIES TO GOVERNOR HILL.

He Says Connecticut Has Many Convicts Who May Be Turned Over to New York for Protection.

"CRIMINALS SAFE FROM ARREST."

A Letter That May Call for an Official Reply-Democrats Pleased with the Rejection of the Requisition Papers for Fardon.

FARDON WILL DEMAND RELEASE.

[BY TELEGRAPH TO THE HERALD.] HARTFORD, Conn., Feb. 25, 1891 .- The sensation aroused by Governor Hill's refusal to recognize Bulkeley as Connecticut's chief magistrate continues to be the topic of the hour. The democrats are delighted with Governor Hill's course. Nonrecognition on political grounds being almost without precedent, the democrats are all the more pleased that Governor Hill has pronounced his prinion that Governor-cleet Morris is kept out of office by Governor Bulkeley. The republicans today are denouncing Hill. They hold that he has no business to interfere even in this indirect way in

When Governor Bulkeley received official advices and the New York papers and read of the rather outspoken statements by Governor Hill explanatory of his action he was thoroughly aroused and instructed his clerk to mail at once the following MR. BULKELEY TO GOVERNOR HILL.

STATE OF CONNECTICUT, EXECUTIVE DEPARTMENT, HARTFORD, Feb. 25, 1891.

Governor David B. Hill:-DEAR SIE. Understanding from your official action, as reported to me officially, that criminals from sister States, especially from Connecticut, are eafe from arrest and return for presention when they have entered the gutes of "The City of Refuge" embraced by your jurisdiction, I desire to inform you that there are now in the Connecticut State Prison about two hundred convicts that Connecticut can safely, and perhaps with propriety. turn over to you.

I have no doubt that every one would prove loyal sub-

l have no quot that every one would prove loyal suc-jects and rejoice to avail themselves of the freedom of the State of New York and the protecting arm of its

Express trains run frequently. Awaiting your orders to forward such available reinforcements for your service. I have the honor to remain,

Respectfully, MORGAN G. BULKELEY, Governor Political circles are busy with this letter to-night, with opinions varying according to party feeling as to whother it was judicious. Speculation is rife as to what Governor Hill's reply will be. The letter will not reach him until to-morrow morn-ing's mail.

ing's mail.

A REPURLICAN'S VIEW.

A prominent republican said this afternoon:—
"Hill has been put up to this by somebody. He camot have given such close attention himself to Connecticut's affairs as to be able to decide who is right and who is wrong. The situation is so complicated that some of us are in doubt ourselves, and for Hill to pronounce this off hand decision is, to say the least, somewhat peculiar."

But was it off hand? That's the puzzling question. Report has it that Governor Hill's views were indicated when he signed requisition papers on February 17, for Frederick Erocks. The domand was refused by Governor Bulkeley, and the only explanation revealed is that the papers were "not satisfactory." The inference is that there were legal defects, but the gossip of the Capitol corridors is that they were addressed by Governor Hill to the Governor of Connecticut, and that Governor Bulkeley was not named in his official capacity.

This is plausible when taken in connection with

Governor Hill's action only a week later, in delib-erately and emphatically refusing to recognize Governor Bulkeley.

When seen at the Executive Chamber this morn-

ing Governor Bulkeley was in his customary pleasant humor. He was not averse to speaking freely of the affair. He said he had not yet been officially notified of Governor Hill's action, but had no reason to question the information he had received

netal advices?"
"Probably I shall take no further action, although I may give Governor Hill a piece of my mind. If he wishes to make New York the dumping ground for Connecticut criminals we have many others here that we can send down and he is welcome to them.

FARDON WILL PROBABLY DEMAND A RELEASE FROM CUSTODY.

Fardon, the prisoner who is held in New York upon a complaint, charging him with burglary committed in Waterbury, Conn., is now locked up in the Tombs awaiting the action of Governor Hill, The refusal of Governor Hill to honor the requisition sent by the hold over Governor of Connecticut, has complicated matters very much. In ticut, has complicated matters very much. In speaking on the subject, Inspector Byrnes said:—
"I am detaining Fardon now only by the right of keeping suspected persons under official sepionage, but he has the right to demand an examination, and, as the crime for which he is wanted was not committed within the jurisdiction of this State and no authentic extradition papers are forthcoming, he can only be discharged for lack of authority to hold him. This affair may lead to some peculiar complications."

Mrs. Forest, the mother of the prisoner, came to New York to see her son yesterday. She sent a despatch to Governor Hill asking him to discharge her son.

NO LEGISLATION IN CONNECTICUT.

CONTINUANCE OF THE DEADLOCK AND ANOTHER SNUB FOR BULKELEY. BY TELEGRAPH TO THE HEBALD. !

HARTFORD, Feb. 25, 1891 .- In the Legislature today the chief topic of interest was whether general legislation should be taken up and the long struggle over the State officers be abandoned for awhile. The Senate refused even to take up the appropriation bills, and in a spicy debate the democrats reiterated, in more emphatic terms than ever before, their determination to lot legislation wait until the democratic officials are scated.

Governor Bulkeley again sent his executive sec retary, Mr. Brainard, to the Senate to-day with additional nominations. Acting under instructions the doorkeeper announced:—"Mr. Brainard, with a communication from Mr. Bulkeley;"
An angry flush swept over the young man's face, but he stepped forward to the clerk's desk, laid a document upon it and said:—"I do not appear here as Mr. Brainard, but as Executive Secretary of the

as Mr. Brainard, but as Executive Secretary of the Governor."

When he had left the room the document was thrown into the waste basket by order of the Senate. It contained the renomination of W.O. Seymour, of Ridgefield, for Railroad Commissioner; Charles A. Elliott, of Clinton, for State Prison Director, and Edwin Hoyt, of New Canaan, for member of the Board of Control of the Agricultural Experiment Station.

The Connecticut Senate is standing shoulder to shoulder with Governor Hill.

In the House steps were taken toward general business by appointing members of about thirty joint committees. The Senate has no intention of taking concurrent action, and if it concludes to appoint committees.

até committees.

Both parties will hold general caucuses to-morrow to consider whether general business or final
adjournment shall be the line of action. The deadlock has reached a stage where a speedy decision
of some kind appears inevitable.

REPUBLICAN SENATORS OUSTED.

LANSING, Mich., Feb. 25, 1891.-The Senate was the scene of a most unusual proceeding yesterday afternoon. Ten Senators were absent attending the Republican State Convention at Jackson. The democrats, taking advantage of this fact, proceeded to unseat Messrs. Morse and Horton, both tice of a strike, republicans, by a strict party vote, and declared for preparation.

Messrs. Friedlander and Morrow, the contestants, entitled to the seats. The three Patrons of Industry Senstures stood with the republicans, but their combined forces were too weak to stom the tide. Indignation rum high among the republicans, and it is not known what action can or will be taken.

FREDDY GIBBS SNUBBED.

COMMUTTEE AND IS SAT UPON. Over two hundred men, each armed with a west

side cigar, crowded into the meeting room of the Republican Association of the Thirteenth District in the Grand Opera House last night to learn just how Freddy Gibbs managed the fraudulent primaries last month. Inside of half an hour the smoke in the room

became so dense that the audience could hardly discern the witnesses, and the big chairman, James A. Blanchard, found it difficult to recognize oppos-

E. J. Tinsdale, the ex-school trustee, of unenviable and recent fame, appeared for the Cowie fac-tion in place of Henry L. Sprague, who is out of the city, and his handling of the case did not apparently meet with approval, judging from the atyle of epithets flung at him repeatedly. Tinsdale insisted in taking up the names on the poll list and comparing them one by one with the enrollment and at the same time have the ex-secretary of the organization testify as to their correctness. In this way the counsel wished to show that seventy-two names appeared on one list and not on the other. In other words that Gibbs got that many votes illegally.

GIBBS' PROTESTS. Freddy Gibbs, who was present and whose bosom was swelling with indignation, grose in the middle

was swelling with indignation, grose in the middle of the inquiry and entered a protest at the style of investigation.

"Who are you, sir?" asked Chairman Blanchard, in a most innocent tone.

"We recognize no outsiders," continued the chairman decidedly.

"But I am not an outsider," answered Gibbs, in amazement at the chairman's apparent lack of recognition.

Then are you counsel?" asked Blanchard in a "Then are you counsel?" asked blank."
"I am associated here with pounsel," replied the
ex-Wicked. "And that, I think, gives me the privilege of having a voice in the proceedings. I wish
to state that the opposing lawyer (Tinsdale) is
merely fighting time, and I wish to state right here
that it must stop. We have to pay the stenographer,
and as his bill is now more than we care to assume, I propose not to pay him another dollar."
"Is that all?" asked Blanchard in a freezing tone,
"Yes, that's all," answered Gibbs, entirely
crushed.

At this juncture there was suppressed excitement in the little ante room adjoining which was filled with the ex-Wiczeds. One excited individual declared his ability to "fire the whole committee out of the window" and was only suppressed by the united efforts of Justice Clarence Meade and the ex-Wicked.

united efforts of Justice Carence Meade and the
ex-Wicked.

"Let us clean all the suckers out," yelled this
base lunged patriot. "What right have they go
to invostigate us anyhow?"

Committeeman Maxwell Evarts hugged up close
to the big chairman and the other members looked
a little apprehensive, but order was restored finally
and matters proceeded with an occasional punctuation from the Gibbs contingent.

The committee declared its intention of taking
all the testimony offered, irrespective of the time
a d cost of stenographer. What they wanted was
the true luwardness of the affair from which they
would base their verdict impartially. The examination of the lists, therefore, went on until completed, which closed the Cowie side of the controversy.

pleted, which closed the Cowie side of the controversy.

Police Sergeants Hogan and Straub appeared in the Gibbs incerest, and testified as to the regularity and impartiality of the primaries as far as they were concerned. They denied having been instructed to show favor to either side by their superior officer.

Henry Hirsch, an ex-United States gauger, and a host of other winesses appeared in behalf of the Gibbs faction to testify as to the regularity of the primary, after which the chairman called an adjournment until te-night on account of the lateness of the hour.

SCANNEL FOR FIRE COMMISSIONER,

A cable received in this city by a leading Tammany official stated that John J. Scannell, the leader in the Eleventh Assambly district, who left this city an November with 'Dick' Croker, would sail from Quoeustown to-Cay on the steamship Teutonic. The friends of Scannell are making preparations to welcome Croker's associate, and they further declare that on May 1 the returned traveller will step into the shoes of Fire Commissioner Anthony Eikhoff, whose term expires then.

Eikhoff was made a Commissioner at the request of Oswalu Ottendorfor, who in the last election opposed Tammany Hall. Scannell's appointment therefore will be a rebuke to the editor, and was determined upon before Croker's departure.

CHANDLER ON THE WARPATH

CONCORD, N. H., Feb. 23, 1891.—Scantor Chandler, in a double leaded editorial over his own signature in the Monilor, to-night reletrates his charge that A cable received in this city by a leading Tam-

I think Connecticut can spare Governor Hill others of the criminals infesting Connecticut, most of whom come from his State. Governor Hill and the New York democracy have made several attempts to run the politics of Connecticut and I suppose this performance is one of them. It does not disturb me in the least."

The question is, What can be done? It is believed that the United States courts have jurisdiction. But if taken there it would inclidentally carry to that court the whole question of Connecticut's struggles over her State offices, and this is an issue that no United States court would care to pass upon.

THE PENNSYLVANIA CORE REGION.

INV TELEGRAPH TO THE HERALD ! PITTSBURG, Pa., Feb. 25, 1891 .- The coke strikers, thirty-five hundred strong, to-day made their second raid on the Fort Hill and Paull Coke Works of W. J. Rainey & Co., where the employes have refused to join the strike. The strikers were in two parties and marched to Vanderbilt, a village which adjoins the Paull plant. On the way one party raided the Fort Hill ovens. They found no men at work, but did considerable damage to the property. The other party, which was largely made up of Hungarians, inflamed by liquor, descended on the

Hungarians, inflamed by liquor, descended on the Paull plant, where a few men were at the ovens working under guard.

The guards were disarmed and workmen and guards were driven away, many with broken beads. The two mobs united and held a mass meeting, at which the apeakers declared that a complete suspension of work must be secured at any hazard.

Hungarians fired their pisiols in the air, and when Deputy Sheriff Charles Porter appeared on the scene and commanded Peter Wise, the leading speaker, to stop he was roughly handled, and only escaped serious injury because the leaders surrounded him and shouled that he was only obeying orders.

ing orders.

After Portor had escaped Mine Boss Loudon, of the Fort Hill works, was spied by some of the stelkers and was badly beaten. One striker snapped a revolver in his face three times, but the weapon was out of order and was not discharged.

charged.

Secretary George McKracken, of a Knights of Labor local assembly, tried to save Louden. He was unknown to the majority of the strikers and received injuries that may prove fatal. The sheriff of Fayette county has been called upon to preserve the peace, but the strikers are desperate and the Hungarians are drinking heavily. Great destruction of property and loss of life are expected to be the next heidents of the strike.

ENGINEERS WILL JOIN IN.

IF THERE IS A STRIKE ON THE PENNSYLVANIA ALL TRAINMEN WILL GO OUT.

PITTSBURG, Pa., Feb. 25, 1891.—The conference of the Pennsylvania company officials to arrange a schedule of wages is still in session, and will not adjourn before to-morrow. The men are awaiting the company's proposition, and nothing will be done till after it has been presented.

The company does not anticipate that the new operative schedules will be satisfactory to all men. for the reason that the contemplated equalization will reduce the pay of some men. This may have

will reduce the pay of some men. This may have the effect of creating differences in the conneils of the grievance committees.

While the company appears to feel secure on the strike question the attitude of the men is directly opposite. They are as firm in their sentiments to-day, even more so, than they were a week ano. Forty engineers, representings the Brotherhood engineemen of all the Pennsylvania Railroad organizations, have decided to act with the other organizations, have decided to act with the other organizations in their efforts to secure higher wages. This action was declared at the engineers' conference to-day. The conference has been in session since Monday and concluded its work this afternoon. This decision was received with the utmost satisfaction by the members of other organizations. It means now that engineers, firemen, conductors, trainmen and switchmen of the entire system concerned will act as a unit.

The engineers authorize the statement that the work of equalization on the part of the company is equivalent to cutting down at one point and filling up at another, and will not be satisfactory, and that unless a clear advance is granted merchants, shippers and the company will be given four days' notice of a strike, which they consider is ample time for preparation.

ONE LESS REPUBLICAN IN THE ASSEMBLY

HE TRIES TO ARGUE WITH HIS INVESTIGATING Mr. Dwyer, Democrat, Given the Seat So Far Occupied by Mr. Dunlop, Republican.

COMPULSORY VOTING PROPOSED.

Governor Hill's Pet Idea Embodied in a Bill to Enforce the Exercise of Suffrage.

[BY TELEGRAPH TO THE HEBALD.] ALBANY, N. Y., Feb. 25, 1891.-For hours to-day the Assembly was forced to sit while the dirty po litical linen of Montgomery county was washed in its presence. The trouble began at half-past eleven. when Colonel Webster moved a call of the House on the report of the committee on the Dwyer-Dunlop contest. It ended only after the fog horn orators had worn themselves out and the prejudged case had been decided in Dwyer's favor by a party vote.

Dunlop said he had been frozen out by the committee and that fair play had been denied him all through. He charged Comptroller Wemple and the son and the counsel of his contestant with openly buying votes on Election Day in his district. He also charged the democrats with sending \$25,000 into Montgomery county two years ago to corrupt voters in the interest of Westbrook, who wanted to go to Congress. At the end of all the tals, and there was much of it, Dunlop was declared ousted from his seat by a vote of 62 to 55.

The session wound up with the presentation of the protest against the Stadler bill sent in by the clergymen of New York. Fish wanted it read, but the chairman refused on the ground that he had already referred it to committee. Fish was wroth, and accused "the other side" of not daring to make the protest public. So the long session

TO MAKE VOTING COMPULSORY. Governor Hill's pet idea of compulsory voting was given upexpected form by Mr. Hildreth. His bill, introduced by request of the republican organization of New York county, it is understood, is radical in the matter. It provides that all legally qualified persons shall register and shall vote at every election and on all questions submitted to the people. Previous to the time for registration the inspectors must make a house to house canvass in their districts to socure the names of every voter. Refusal to answer their questions is a misdemeanor. On completing their work they must send a notice by mail to every voter named on their lists, notifying him to appear and register or give reason why he should not do so, and warning him that a failure to comply subjects him to a penalty of from \$5 to \$25.

Within forty-eight hours after an election the inspectors must file with the County Clerk their list and an affidavit that the notices to register were mailed. They must also file a list of those who did not register or explain the reason therefor, who did not register or explain the reason unersfor, and a list of those who registered but neglected to vote. Euplicate lists must be filed with a justice of the peace, who shall at once proceed against the culprits. Within ten days the offender must appear and answer the complaint, and on failure to do so a judgment of \$25 shall at once be entered. If the offender presents a good excuse the Justice may dismiss the proceedings or the culprit may have a trial by jury. On the complaint being sustained judgment shall be entered and the District Attorney of the county shall collect the penalty.

A number of other measures were introduced that are covered by the reports of committees having the matters to which they refer in charge. The Governor transmitted to-day to the Legislature a copy of a resolution adopted by the Sanate of the State of Texas relating to limitation of the tenure of office of federal officials.

Senator Ahearn introduced a bill to compel Sound steamers and steamboats passing through Hell Gate to land on East River and not further south than the foot of Grand street. The object is to make boats now using North River docks use East River docks and thus prevent shipping from being driven to Jersey City for want of dockage on North River front of New Yors city.

Senator Rirest is after the Commissioners of Charitles of Kings county. At present there is a divided responsibility between the Board of Supervisors and the Commissioners of Charitles in matters pertaining to county charities generally. Birkett put in a bill placing the control in the hands of the Board of Supervisors, who are directly responsible to the people, and placing the Commissioners of Charittes under the supervision of that Board.

EROOKLEN SCHOOLS.

McCarren introduced a bill to authorize the city.

Board.

Board.

Board.

Brooklyn schools.

McCarren introduced a bill to authorize the city of Brocklyn to issue bonds for \$250,000 for the purchase of additional school sites.

Senator Roesch's bill allowing testamentary guardians to make a voluntary accounting in the Surrogate's Court was passed in the Senate, as was also his bill permitting poor persons, whether infants or adults, to sue and have counsel assigned to them without having to give security for costs.

Chase's bill to prevent discrimination against persons of color by life insurance companies also went through, and the C Connor bill incorporating the Order of Red Men.

The Roche bill, permitting the New York Board of Estimate and Apportionment to appropriate \$10,000 for a monument to the memory of Colonel Ward Burnett, also passed the Senate.

THE NEW EXCISE BILL.

NOT VIEWED WITH FAVOR BY EXCL E COMMIS-SIONERS.

The new Excise bill introduced in the Assembly last Tuesday by Mr. Schaar has excited a great deal of favorable comment in this city. The Excise Board, however, looks on the bill with

great disfavor, President Alexander Meakim being specially outspoken against it. If he had his way about it, he says, he would reduce instead of increase the hours of liquor selling.

Commissioner Fitzpatrick does not favor the bill as a whole, but would be willing to have liquor seld on Sundays between one o'clock and nine o'clock P. M.

Commissioner Koch is said to favor the bill. He was absent from town vesterday though and

was absent from town yesterday, though, and could not be seen. SPOLIATION OF THE FORESTS.

CONTINUATION OF THE INVESTIGATION OF THE ADIRONDACES SCANDAL.

ALBANY, N. Y., Feb. 25, 1891.-The Assembly Forestry Commission resumed the forestry investigation this afternoon. Thomas Powers, of Minerva, a special agent of the Forest Commission in township 25, said there had been no trespasses in that township, as testified to by Mr. Lynch, for the past five years.

Frank C. Parker, of Keene Valley, was then called.

The district he covers as a forester include.

The district he covers as a forester included about one hundred thousand acres of State land. He gave unimportant testimony.

Commodore Beary Bradley, of Oimsteadville, testified that he was familiar with the woods from long experience. He found that the trespasses in township 25 had been committed about five years ago, he should say, judging from the tops and stumps,

ago, he should say, judging thou the testimony of the Kunps, Mr. Lynch was questioned as to the testimony of the two precedingwitnesses in relation to the trospasses in township 25. He swore that he had seen trespasses on two lots that he was cortain had been committed within two years.

The investigation was then adjourned until tomorrow night.

PASSED TEN BIG ICEBERGS.

A despatch from London yesterday, announcing A despatch from London yesterday, announcing the arrival of the City of New York at Queenstown, says that her captain reported that on Saturday, in latitude 45 degrees the recent relations of the City of New York at Queenstown, says that her captain reported that on Saturday, in latitude 45 degrees the recent relations of the New York of Saturday. latitude 48 degrees, the vessel sighted an immense

was compelled to abandon attempts to force her

field of ice lying across her course. The vessel was compelled to abandon attempts to force her way through and to steer in a southerly direction for some time before she cleared the field.

The City of New York also bassed ten large ice-bergs during the voyage, which she made in six days, eight hours and five minutes.

At the Hydrographic Office I was told yesterday that the ice was unusually late in coming down this winter. It began to come down in December of 1889, and in January, 1890, was down as low as lattude 44 degrees. In February a year ago ice was reported in great quantities in latitude 41 degrees, and a great field of icebergs were sighted just north of latitude 42 degrees.

MORE POLICEMEN TRIED.

ONE WAS ABSENT FROM POST WITHOUT LEAVE AND ANOTHER SHOOK AN ABCRITECT.

Police Commissioner McClave sat in judgment vesterday in the cases of a number of delinquent colicemen in the trial room at Police Headquarters. Police Captain Brooks, of Elizabeth street station charged Policeman Harry Hume with being absent from post on February 18 and 19 without leave. The policeman admitted the offence, but pleaded in extenuation of his offence that on the days in ques tion he was locked up as a prisoner in Ludlov street jail pending a settlement of a suit brought by his wife for alimony.

Policeman Robert Berryman, of the West Forty seventh street station, whose brutal clubbing of Andrew Will, his wife and daughter Muggie, has already been told in the HERALD, was arraigned upon a formal complaint. Will testified that on the morning of February 16 he heard a great noise in the hallway of his house at No. 641 West Fortysecond street.

CLUBBED ON THE HEAD. Putting on his clothes he went down stairs to in-Putting on his clothes he went down stairs to investigate. He was met in the hall by Berryman, who, without any provocation, proceeded to club him over the head with his night stick.

Will called for his wife and daughter, and they went to his assistance. Berryman, according to the complainant's story, drove the women into their rooms with his club and threatened to knock off their heads if they interfered with him. The story told by Will was corroborated in every detail by his wife and daughter.

Policeman Berryman refused to present his defence and asked for a continuance until he could procure witnesses.

Policeman Peter F. Felton, of the Forty-seventh street station, was charged by Architect W. J. Freyer, of No. 214 West Forty-second street, with refusing to arrest a prisoner upon his complaint. Mr. Freyer said he was walking up Breadway when he was run into by an unknown man. The man made no apology for his rudeness, but walked into the Barrett House.

REFUSED TO MARE AN ARREST.

Policeman Felt without a warrant. Freyer, however, insisted upon the man being arrested. He insisted so long and so carnestly that the policeman took hold of him by the collar and nearly shock him out of his boots. The spectacle of a policeman shaking a well known architect was not edifying according to Mr. Freyer's view and he asked to have the policeman punished.

The complainant had no witnesses. The policeman had four.

Charles R. Butler, of No. 754 Seventh avenue, the first witness for the policeman, was interesting, "What is your business?" asked Commissioner McClave.

"I am an electrostition," replied the witness.

"A what?" explaimed the Commissioner. restigate. He was mot in the hall by Berryman

"I am an electrosition," replied the witness.
"A what?" exclaimed the Commissioner.
"An electrosition," composedly replied the witness. "You mean an electrician, don't you?" asked the Commissioner.
"Well, it is just the same thing," replied the witness. Butler and the three other witnesses corroborated Policeman Felton.

IN RESTRAINT OF TRADE.

THE DEMURRER IN THE DE WITT WIRE CLOTH COMPANY'S SUIT SUSTAINED.

An agreement for the declared purpose of regu lating the price of wire cloth was entered into three incorporated companies and two firms which manufactured the commodity. The prices were to be regulated by the members of this combination. The association was empowered to fix the price and the members were bound under a penalty not to sell below the prescribed price. Each member deposited \$2,000 with the United States Trust Com-

to sell below the prescribed price. Each member deposited \$2,000 with the United States Trust Company, and a member who violated the agreement forfeited his deposit to the other members.

The De Witt Wire Cloth Company brought suit recently in the Court of Common Pleas against the New Jersey Wire Cloth Company to recover for goods and and delivered, and the latter put in a counter claim for \$500, silecting that freel and the plaintiff received \$500 of the defendants \$2,000 which had been declared forfeited.

The plaintiff received \$500 of the defendants \$2,000 which had been declared forfeited.

The plaintiff neutured to this counter claim, and Judge Pryor yesterday sustained that demurrer. In doing so he says:

"The declared, purpose of the agreement is to enable the association as between its members to regulate the price of the commodity in which they deal, and this result is accomplished by empowering the association to first price and by binding its members under a penalty not to sell below the price so prescribed. Since all the members are to sell for the same price, of course competition between them is impossible, and having the power to ix the price they will be impelled by the irresiable operation of self-interest to raise that price to the highest attainable figure.

"Here there is an agreement, of which the invitable effect is, in conformity with its proclaimed design, to restrict competition in trade, and to arbitrarily enhance the price of a commodity of commerce. That such a contract is repumpant to public policy, and so unlawful, is a settled principle in the jurisprudence of this country. The people have a right to the necessaries and conveniences of life at a price determined by the relation of supply and demand, and the law forbids any agreement or consolitation whereby that price is removed beyond the solitary influence of legitimate competition.

"Nor is the operation or the rule forbidding contracts, restricting competition and chancing prices limited to trade in the necessaries of life, b

OPTICIAN GALL'S ESTATE.

HIS NEPHEW'S SUIT TO GET IT AWAY FROM THE

WIDOW AND CHILD OF THE DECEASED.

The question whether the estate valued at some \$300,000, left by Joseph Gall, the old Union square optician, shall continue in the possession of his adjudged widow and child, or be turned over to Charles E. Gall, his nephew, bids fair at last to reach a determination in the near future. A trial to settle the long protracted controversy began yesterday before Judge Patterson, in Part I of the Supreme Court, Special Term.

Ty to quite recently the contest for the possession of the estate was in the Surrogate's Court, where the nephew claimed it under Mr. Gall's will, made in his favor. It was finally adjudged, however, that the deceased optician left a widow in the person of his former housekeeper and one child, and as the marriage had taken place subsequent to Charles F. Gall, his nephew, bids fair at last to

reach a determination in the near ruture. A trial to settle the long protracted controversy began yesterday before Judge Patterson, in Part I of the Supreme Court, Special Term.

Up to quite recently the contest for the possession of the estate was in the Surrogate's Court, where the nephew claimed it under Mr. Gall's will, made in his favor. It was finally adjudged, however, that the deceased optician left a widow in the person of his former housekeeper and one child, and as the marriage had taken place subsequent to the execution of the will, that they were entitled to the property, and a decree to that effect was untered. Now comes in young Gall, who demands the property under an alleged verbal contract made between Gall and himself in 1883, some three years prior to the inter's death.

Young Gall's story is that is was then agreed between them that if he should change his surname to Gall, his name then being Charles Funkenstein, and go into business with Gall and keep up the business after the old man's death, the latter would make him his heir and leave him his entire estate. The contestant says that he carried out his part of the agreement and aska an enforcement of the contract. It is not claimed that any one was present at the time of making the alleged contract. Various witnesses testified, however, that they heard the old man say repeatedly that he had entered into a compact with his neighew of the charactor alleged.

The defence is that Mr. Gall had no business to make any such contract and that neither by any agreement nor will had he the right to divest his child of its interest in his estate or his willow of her dower rights.

MORE MONEY FOR POOR PEOPLE,

MORE MONEY FOR POOR PEOPLE. The Herald received yesterday for the family of Goldsmith, the glazier, who was killed "for a joke,

from J. P. Menken, \$4; J. S. Pinkussohn & Brothers, \$2.
For the family of Frederick Gaedke, the sick and destitute baker, from Annie C. Evens, \$1.
Resides there sums the Herath has received \$13 for the New York Hospital Saturday and Sunday collections, \$7 for Mary Clifford and \$3 for Hollingst.

CALL IT SHERMAN AVENUE, TO THE EDITOR OF THE HERALD:-

Having seen so very many epistles in regard to the change of name of Seventh avenue above NEW YORE, Feb. 25, 1891.

TUNNEL JURORS HEAR CONFLICTING STORIES.

Experts Declare the Signals Must Have Been Set at Danger; Trainmen Swear They Were Not.

LIGHT ON THE BLOCK SYSTEM.

Mr. Platt Exhibits Its Practical Workings to the Jurymen, Who Climb down Into the Tuunel to See It-Signals Invisible in the Smoke.

Groping more or less in a fox of railroad technicalities, inexplicable descriptions and terms mean ngless to laymen, Coroner Levy's tunnel accident ury made a heroic attempt yesterday to find out just who or what was responsible for the disaster. The sincerity of their efforts in their unaccustomed work took the neat brokers and grave business men into queer places-at one time into the dark and filthy tunnel where water dripped over and splashed under them, then into grimy signal towers and uncomfortably close to dangerous

tracks-but they persevered and saw all it was necessary to see. After which they heard three hours of testimony

of a kind not more than usually enlightening. First the jury met at the Eighty-sixth street station at or about ten o'clock in the morning-it is not necessary to be too particular about the time-and went down to the station platform in the easternmost or southbound tunnel to view the scene of the wreck and find out about the block system and other things. Then they stood on the platform for a while and discussed the smoke and steam, almost thick enough to be cut with a knife, which filled the place, and how far lights could be seen in it. Every once in a while a whilf of colder air shot out of the tunnel from the northward, there was a horrible clatter and clanking and an engine drove past so close that the jury could almost touch it. There after the smoke was a good deal thicker than ever and the jurymen said, with emphasis, that they thought they were close enough to the scene for all practical purposes.

SMOKE TOO THICK.

To test the light matter there was the home signal for that station, conveniently placed just op-

posite the lower end of the platform, and the jurors found, somewhat to their surprise, that when the smoke was thickest they couldn't see the red light eight feet away. There was a row of openings justiover the station platform giving a few dim rays of light andfsomothing like air. From time to time the smoke drove out of these and lifted a little in the tunnel. Then the red light could be seen twen-

ty or thirty feet away. ELECTRICIAN SCOTT. This matter being thus settled the jury climbed up into the signal tower at the other end of the platform, a box perhaps nine or ten feet square, where stood a young man before a row of long, red handled levers and some disks with words painted upon them.

General Manager Platt, of the Grand Central Station, and Mr. C. A. Scott, the electrician, were along to show how the thing worked. Every two minutes a train thundered along, a little bell rang and the young man yanked a couple

of the levers. The jurors looked on with faces expressive of a determination to understand the mystery or perish in the attempt.

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"Now," says Mr. Platt, "the train has passed Ninety-sixth street. Now he unlocks Seventy-second street. This block is clear. See?"

"Oh, yes, we see," say the inrors, with shameless or perhaps unconscious mendacity.

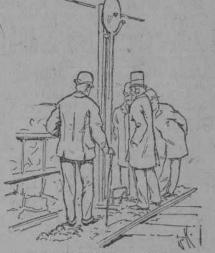
"Now, here comes a train down," says Mr. Platt.
"See that disk urn? That shows that it has passed the Ninety-sixth street tower. Now it passes here and the operator pushes that button. That notifies the operator at Ninety-sixth that the train is out of the block. Now that bell rings. That shows that the train has passed Seventy-second. Now this operator throws over those two levers which opens the block to Ninety-sixth street and unlocks the block there. See how simple it le?"

Oh, yes, the jurors saw how simple it was, but what they wanted to know was how it protected a train that got stalled on the track.

"Why," said Mr. Platt, "as long as one train is in a block it is abountely impossible for another to be let into that block. As long as a train or any part of a train is in a block it makes an electrical connection which acts on a mechanism and in turn prevents the signal from being thrown to anything but danger. It is locked fast at danger and must stay so until the train is out of the block."

Somebody ventured to insinuate that on last Friday one train was in a block when another train not only got into the same block but into the first train as well, but Mr. Platt would not admit that that interfered at all with his theory.

"When a train enters a series of blocks," said Mr. Scott, "a mechanical device worked by the fianges of the car wheels sets the danger signal at the lirst block. Even then it cannot be released until the operator at the next towersheed has released it by signalling that the train has passed in it, works in that position until the train is out of that block. Even then it cannot be released in that position that the spassed in the operator at the next towersheed has released from the block



JUROES EXAMINING THE SIGNAL.

viewed the scene of the accident from the car windows, examined the signals and got back to the Grand Central Station at noon.

Net result of their investigation up to that point:—Every juror had a different idea of what constituted a block, a home signal or a distance signal and how or why each kind of signal was worked; but on one point the most of them agreed. There was something very wrong with "the system."

You don't have to send a system to the peniten-tiary if you condemn it; a system has no friends and implicates no officials. To the lowest depths therefore with "the sys-tem."

that he himself did not see the distance signal for seventy-second street. Lut his fireman saw it and reported it "all right." As to the distance at which he could see a signal when the smoke and steam in the tunnel was thickest, Mr. Fowler put it at six or eight feet.

Br Mr. Lyan-iv the rules require you to step if don't see the signal lights? A. Yes, sir, at the home nat, not at the distance. As a rule, do you stop when you can't see that signal and you got down and grope around in the dark until not the signal? A. We stop and had out what is the

Mr. Fowler was equally positive that the alarmbell, which is arranged to ring when a train runs past a danger signal, didn't ring in this case. At least be didn't hear it. In fact he never had heard that bell ring until after the accident, when his train was being pulled back to the station. The signal being then at danger, the bellrang as the train went past it.

Questioned by the jurors Mr. Fowler said he had never seen the anoke in the tunnel so thick he couldn't see the signals; that he didn't see how that tunnel could be lighted so as to insure safety; and that at the speed he was making he couldn't stop a train in less than two hundred feet. At eight or ten miles an hour he could stop his train in forty feet.

Charles A. Wellington, fireman of Fowler's engine, a lank, lantern lawed young man from the wilds of Connection, took the engineer's place on the witness stand. Substance of his testimony:—
He repeated all that Fowler had said on important points only, in a high, loud, twanzing voice. As to the signals being clear he was perfectly certain.

O. By Mr. Lynn, effect have any doubt about these Q. By Mr. Lynn, -if you have any doubt about these things I want you to say so without reserve. A. (in a shout), -I haven't any doubts. When I see a thing I see it.

e it.

You say you were looking straight abead all the
us you were in the tunnel. Why was that "A. Well, it's
torsi for a man who is en one o' them machines to
em lookin ahead. The most important thing adduced from Welling-ton was that he didn't see the signals until he was within twelve feet of them, going twenty-five miles an hour, and he had never been examined for color blindness. About many other things he didn't

know.
"That will do," said Mr. Lynn despairingly. "We will call somebody who does know."

will call somebody who does know."

THE EXOR THAN:

Apparently that was the next witness, Mr. John M. Reilly, of No. 324 Mott avenue, engineer of the shop train, a natry young man, in fashionable attire, who assumed a position of case by leaning back against the Coroner's desk and thrusting his thumbs into the armholes of his vest, while he surveyed the jury with a bland smile.

Mr. Reilly informed the jury, whom he addressed sometimes collectively as "gentlemen" and at times undividually as "my friends," that he left Forty-seventh streat with the shop train at five minutes to seven, and didn't know anything about the collision until he got off his engine at Eightysixth street, because he thought his air brakes had broken.

broken.

Q. How fast wore you going when the other train struck you? A. Oh, seven or eight miles an hour.

Q. You knew that the New Haven train was due to leave seven minutes after you? A. Yop.

Q. You knew how fast the New Haven train would travel after you, din't you? Too knew it would go at the rate of twenty-five or thirty miles an hour? A. (Cheorfully) Oh, yes; she waitees right along through there. Well, how far did you think you-going seven or you? A. Conido't tell you, my friend.

O. by Mr. Mosts, You say that seven or eight miles an born was the less you could do. Then you didn't have engine capacity enough to handle the train?

Objection by Mr. Loomis, overnied by Ucyaner Levy.

A. Yep.

Q. Then why were you only making seven or eight miss an hour! A. (nonchalantly). Had a wot rail and was going up hill.

Q. What is the rule about the time your train must make to the yards? A. (blithely). Got there as soon as we can. make to the yards? A (blithely) Got there as soon as we can.

John W. Franklin, conductor of the shop train, told a succinct story of the accident from his point of view and brought out the fact that the operator at Seventy-second street had telegraphed to the operator at Eighty-sixth street that the New Haven train had run past the danger signal at Seventy-second street without heeding it. He added that while his train carried two red lights on the rear platform he didn't believe they could be seen five feet in the fog there was in the tunnel that morning.

Adjourned until eleven o'click this morning. The State Railroad Commission was to have begun its investigation of the accident yesterday morning, but postponed it until Friday, March 6, so as not to interfere with the inquest. In the atternoon the commission want up to Eighty-sixth street and visited the scene of the accident—to delve into the dark mysteries of the block system, I suppose.

suppose.

THE CAR STOVE CONTROVERSY.

With reference to the allegations made since the tunnel disaster that the burning of the cars was due to the car stove and that the ar stove was restained by the New York, New Haven and Hartford Railroad Company from motives of economy, issue H. Bromley, Jr., one of the officers of the company, said yesterday that the first allegation had not been proven and the second allegation was entirely false.

been proven and the second ninegation was entirely false.

"The fire might bave been started," said Mr., Bromley, 'by the upsetting of lamps consequent on the collision, or the flames might have been



showing the jury the workings of the elock, kindled by the headlight of the locomotive after the smash. I am certain that it is not to save money that the company uses the Baker heater. I do not believe it is cheaper than steam beating. The company continues to heat most of its cars by this method because it is still an open question whether steam heating would do the work any better. It should be remembered that if coals from an overturned stove are liable to set fire to a car, so escaping steam is liable to scald passengers. And when there is a collision steam pipes are pretty sure to got broken."

Concerning the suspection which has been made that all tunnels should be lighted either by electricity or otherwise, Mr. Brombey remarked that if this were done the red and green lights at present employed for signalling purposes in tunnels would hardly be visible from approaching trains. At all avents, they would not-lee visible so far off as at present. The lighting of tunnels would therefore necessitate a change in the methods of signalling. SHOWING THE JURY THE WORKINGS OF THE PLOCE.

CLEVELAND'S DECISION REVERSED. IT IS NOT ACCEPTED AS FINAL IN THE LANG-

DON DOCK SUITS. A decision has just been rendered by the Supreme Court, General Term, reversing that recently given by ex-President Grover Cleveland as referee in the suits known familiarly as the "Langdon dock suits," but brought by different members of the Langdon and Astor families against the city to recover damages for the taking by the city of certain wharfage rights on the North River acquired originally by John Jacob Astor.

The auits have been in the courts for several years, and from time to time various referees have been appointed, the last in the list being Mr. Cleve-

peals several times, which tribunal has passed upon all the questions of law involved in the case. All that remains now is to determine the value per running foot to be awarded to the plaintiffs for their rights. their rights.
One referoe gave \$1,000 per running foot as the proper sum to pay.
Mr. Clevelsan made an award of \$100 a foot.
Judge Van Brent, who writes the opinion in the case, declares this sum to be ridiculously small, and directs a re-reference to Mr. Cleveland with instructions to admit as evidence the minutes of the Dock Department, which he had excluded, showing what the city had paid for similar rights.

The matter has been taken to the Court of Ap-

HIS GIFTS OF JEWELRY SEIZED. Julian Delmar, a Brooklyn young man, was a passenger on the steamer Werra whon she arrived

from Europe yesterday. His fancie, Miss M. Elvery, and another young lady were in waiting at the steamer's pier in Hoboken. Mr. Delmar had de-To the lowest depths therefore with "the system."

Coming back to the taking of testimony at the Coroner's office at two o'clock. Engineer Powler was recalled and repeated much of his testimony of the day before. He was as sure as ever that all the signals showed clear, sithough he admitted